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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,908	08/25/2003	Allan Wirth	108-133USANA0	2327

7590 12/05/2006
Thomas J. Perkowski, Esq., P.C.
Soundview Plaza
1266 East Main Street
Stamford, CT 06902

EXAMINER

ALLEN, STEPHONE B

ART UNIT PAPER NUMBER

2878

DATE MAILED: 12/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Rule 312 Communication	Application No.	Applicant(s)	
	10/647,908	WIRTH, ALLAN	
	Examiner	Art Unit	
	Stephone B. Allen	2878	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

1. ☒ The amendment filed on 17 January 2006 under 37 CFR 1.312 has been considered, and has been:

a) ☐ entered.

b) ☐ entered as directed to matters of form not affecting the scope of the invention.

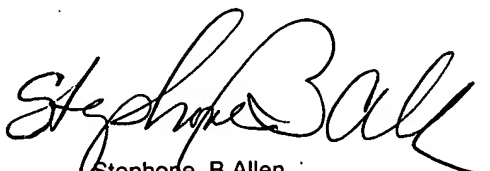
c) ☐ disapproved because the amendment was filed after the payment of the issue fee.

Any amendment filed after the date the issue fee is paid must be accompanied by a petition under 37 CFR 1.313(c)(1) and the required fee to withdraw the application from issue.

d) ☒ disapproved. See explanation below.

e) ☐ entered in part. See explanation below.

The amendment introduces a 35 USC 112 problem , "(i.e. phase error)" that would be improper, if entered.


 Stephone B Allen
 Primary Examiner
 Art Unit: 2878